

IN THE CLAIMS

Please amend the claims as follows:

Claims 1-3 (Cancelled)

Claim 4 (Currently Amended): A radio communication method of a base station used for a radio communication system employing CDMA (Code Division Multiple Access) for radio access with a plurality of mobile stations, a plurality of base stations, and a base station controlling apparatus, said base station being one of the plurality of base stations, said base station controlling apparatus controlling the plurality of base stations and the plurality of mobile stations and providing multi-rate transmission, the radio communication method comprising:

transmitting code information by message from the base station controlling apparatus to one of the plurality of mobile stations, said code information for switching from a first code being used to a second code,

transmitting timing information by message to the one of the plurality of mobile stations, the timing information indicating a timing of switching from the first code to the second code,

switching at the base station a transmission spreading code from a the first code to a the second code in synchronization with a switching of the first code to the second code at the one of the plurality of mobile stations, said one of the plurality of mobile stations switching from the first code to the second code based on the transmitted timing information, and wherein

the timing information regards timing of switching the first code to the second code, and the timing information is used for switching the first code to the second code at the one of the plurality of mobile stations,

receiving a code switching complete message from the one of the plurality of mobile stations, said code switching complete message indicating a completion of switching from the first code to the second code at the one of the plurality of mobile stations and transmitting a code switching complete message to notice a completion of the switching to a base station controller.

Claim 5 (Cancelled).

Claim 6 (Currently Amended): A base station used for a radio communication system employing CDMA (Code Division Multiple Access) for radio access with a plurality of mobile stations, a plurality of base stations, and a base station controlling apparatus, said base station being one of the plurality of base stations, said base station controlling apparatus controlling the plurality of base stations and the plurality of mobile stations, and providing multi-rate transmission, the base station comprising:

a code informing unit configured to transmit code information by message from the base station controlling apparatus to one of the plurality of mobile stations, said code information for switching from a first code being used to a second code;

a timing information sending unit configured to transmit timing information by message to the one of the plurality of mobile stations, the timing information indicating a timing of switching from the first code to the second code;

a switching unit configured to switch a transmission code at the base station from a the first code to a the second code in synchronization with a switching of the first code to the second code at the one of the plurality of mobile stations, said one of the plurality of mobile stations switching from the first code to the second code based on the transmitted timing information[[,]]; and

the timing information indicating a timing of switching from the first code to the second code

receive a code switching complete message from the one of the plurality of mobile stations, said code switching complete message indicating a completion of switching from the first code to the second code at the one of the plurality of mobile stations

~~and to transmit a code switching complete message to notice a completion of the switching to a base station controller, wherein~~

~~the timing information regards timing of switching the first code to the second code, and the timing information is used for switching the first code to the second code at the one of the plurality of mobile stations.~~

Claim 7 (New): A radio communication method of a base station used for a radio communication system employing CDMA (Code Division Multiple Access) for radio access with a plurality of mobile stations and a base station controlling apparatus, said base station being one of a plurality of base stations, said base station controlling apparatus controlling the plurality of base stations and the plurality of mobile stations, the radio communication method comprising:

transmitting code information by message from the base station controlling apparatus to one of the plurality of mobile stations, said code information for switching from a first code being used to a second code;

transmitting timing information by message to the one of the plurality of mobile stations, the timing information indicating a timing of switching from the first code to the second code;

switching at the base station a spreading code from the first code to the second code in accordance with said timing information; and

receiving a code switching complete message from the one of the plurality of mobile stations, said code switching complete message indicating a completion of switching from the first code to the second code at the one of the plurality of mobile stations.

Claim 8 (New): A base station used for a radio communication system employing CDMA (Code Division Multiple Access) for radio access with a plurality of mobile stations and a base station controlling apparatus, said base station being one of a plurality of base stations, said base station controlling apparatus controlling the plurality of base stations and the plurality of mobile stations, the base station comprising:

a code informing unit configured to transmit code information by message from the base station controlling apparatus to one of the plurality of mobile stations, said code information for switching from a first code being used to a second code; and

a timing information sending unit configured to transmit timing information by message to the one of the plurality of mobile stations, the timing information indicating a timing of switching from the first code to the second code;

a switching unit configured to switch a transmission code at the base station from the first code to the second code in accordance with said timing information, wherein

the timing information sending unit is further configured to receive a code switching complete message from the one of the plurality of mobile stations, said code switching complete message indicating a completion of switching from the first code to the second code at the one of the plurality of mobile stations.